

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Hilary Hudson	Team: Team # 3	CCRB Case #: 200908680	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday 05/21/2009 11:30 AM	18 Mo. SOL 11-21-2010	Location of Incident: Story Avenue and Croes Avenue			Precinct: 43
Date/Time CV Reported Thu, 06/04/2009 10:39 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 06/04/2009 10:39 AM		

Complainant/Victim	Type	Home Address
1. § 87(2)(b)	Comp/Victim	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Miguel Iglesias	15012	941926	043 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. Officers			

Officer(s)	Allegation	Investigator Recommendation
A . POM Miguel Iglesias	Force: PO Iglesias used physical force against § 87(2)(b)	A . § 87(2)(g)
B . POM Miguel Iglesias	Discourtesy: PO Iglesias spoke obscenely to § 87(2)(b)	B . § 87(2)(g)
C . POM Miguel Iglesias	Abuse of Authority: Officers stopped § 87(2)(b)	C . § 87(2)(g)
D . POM Miguel Iglesias	Abuse of Authority: Officer Iglesias searched § 87(2)(b)	D . § 87(2)(g)
E . POM Miguel Iglesias	Force: Officer Iglesias used physical force against § 87(2)(b)	E . § 87(2)(g)
F . POM Miguel Iglesias	Force: Officer Iglesias used pepper spray against § 87(2)(b)	F . § 87(2)(g)

## Synopsis

On June 4, 2009, § 87(2)(b) filed her complaint with the CCRB via telephone. On May 21, 2009, at 11:30 AM, she was walking in the vicinity of Story Avenue and Croes Avenue in the Bronx, when a 5'6" Hispanic female police officer jumped out in front of her. The female officer was in a white-shirted uniform. The female officer placed her hand on § 87(2)(b)'s chest and asked § 87(2)(b) if she had contraband or narcotics. § 87(2)(b) said that she was on her way home and does not use drugs. The female officer searched § 87(2)(b)'s pockets and removed papers, gum wrappers, and § 87(2)(b)'s ID. A 5'8" to 5'9" Hispanic male officer searched the back of § 87(2)(b)'s pants. § 87(2)(b) asked why they were doing this and the male officer said that it was just a routine search. While the officers were searching her, § 87(2)(b)'s hand hit against the female officer's hand, which prompted the officers to arrest § 87(2)(b) for assault. The officers handcuffed § 87(2)(b) and the male officer grabbed § 87(2)(b) by the neck. § 87(2)(b)'s breathing was not restricted but she sustained a red mark on her neck as a result. The officers then pepper-sprayed her and knocked her to the ground. Both officers jumped on § 87(2)(b)'s back to hold her down. The female officer said, "If your fucking ass did what I motherfucking did you to do, maybe your fucking ass would be going home right now." The male officer said, "Your motherfucking ass is going to jail." As § 87(2)(b) was getting into the car, one of the officers told her, "Get your fucking legs in the car." § 87(2)(b) sustained a sprained wrist as a result of this incident. Her eyeball was cut in two places and her eye would not open. She went to the doctor on § 87(2)(b).

§ 87(2)(b)'s arrest report, completed by PO Miguel Iglesias from the 43<sup>rd</sup> Precinct, indicates that on June 4, 2009, at 12:15 PM, officers conducting a SNEU set at Croes Avenue and Lafayette Avenue in the Bronx observed § 87(2)(b) unlawfully loitering on New York City Housing Authority property. § 87(2)(b) was arrested for § 87(2)(b). § 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

An attempt was made to reach § 87(2)(b) via telephone on June 18, 2009, but there was no answer and a message could not be left. A letter was mailed to § 87(2)(b) on June 18, 2009, and it was not returned by the US Postal Service. On June 22, 2009, § 87(2)(b) contacted the CCRB in response to the letter and scheduled an interview for June 25, 2009. On June 25, 2009, § 87(2)(b) contacted the CCRB to reschedule her interview because she was running late and would be unable to make the appointment. She rescheduled her interview for July 2, 2009. On July 2, 2009, § 87(2)(b) contacted the CCRB again because she was running late and would not be able to make her appointment. She rescheduled her interview for July 9, 2009; however, she failed to appear for the interview and did not call beforehand to cancel or reschedule. The NYC Department of Correction confirmed that as of July 9, 2009, § 87(2)(b) was not incarcerated. § 87(2)(g)

§ 87(2)(g)

Investigator: Hilary Hudson Date: 7/9/09

Supervisor: Date:

Reviewed by: Date:

Reviewed by: Date: